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Application No.

10706016



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

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Deciding Official:

WISE, APRIL

Count (1) - Palm Credit

10/706,016

Decision Type: 505 - 37 CFR 1.313(a), (c)(1) & (c)(2) - W/D FROM ISSUE AFTER PAYMENT OF

Decision: DISMISSED

Time Period for Reply: n/a

Notes:

Count (2)

Decision Type: NONE

Decision: n/a

Time Period for Reply: n/a

Notes:

Count (3)

Decision Type: NONE

Decision: n/a

Time Period for Reply: n/a

Notes:

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In re Application of :
Michael D. Potter :
Application No. 10/706,016 : DECISION DISMISSING PETITION
Filed: November 12, 2003 : UNDER 37 CFR 1.313(a)
Attorney Docket No. 2420/123 :

This is a decision on the petition under 37 CFR 1.313 (c) which is being treated as a petition under 37 CFR 1.313(a), filed October 31, 2007, requesting withdrawal of the above-identified application from issue.


The petition is **DISMISSED** as moot for the reasons stated below.

A review of the file record discloses that a Notice of Allowance and Fee(s) Due was mailed on August 9, 2007, with the issue fee being due on or before November 9, 2007. There is no indication that the issue fee in this case has been paid.

The filing of a petition under 37 CFR 1.313(a) is unnecessary, since the mere filing of an RCE and submission will effectively withdraw an application from issue prior to payment of the issue fee. In view thereof, the petition to withdraw from issue is dismissed as involving a moot issue. *Note* MPEP §§ 706.07(h)(IX) and 1308.

Telephone inquiries concerning this decision may be directed to April Wise at (571) 272-1642.

The matter is being referred to Technology Center AU 2834 for appropriate processing of the RCE filed October 31, 2007, and for consideration of the concurrently filed information disclosure statement.


Frances M. Hicks
Petitions Examiner
Office of Petitions